

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

|                                  |   |                  |
|----------------------------------|---|------------------|
| JOHN W. MOORE, III,              | ) |                  |
|                                  | ) |                  |
| Plaintiff,                       | ) |                  |
|                                  | ) |                  |
| v.                               | ) | CIVIL ACTION NO. |
|                                  | ) | 5:04-CV-259-C    |
|                                  | ) |                  |
| JO ANNE B. BARNHART,             | ) |                  |
| Commissioner of Social Security, | ) |                  |
|                                  | ) |                  |
| Defendant.                       | ) |                  |

**ORDER**

Plaintiff is appealing an adverse decision of the Defendant, Jo Anne B. Barnhart, Commissioner of Social Security, pursuant to 42 U.S.C. § 405(g). The United States Magistrate Judge filed her "Report and Recommendation Pursuant to the District Court's Orders of Reference" on August 22, 2005. No written objections have been filed. It is, therefore,

**ORDERED** that the findings and conclusions in the United States Magistrate Judge's "Report and Recommendation Pursuant to the District Court's Orders of Reference" are hereby **ADOPTED** as the findings and conclusions of the Court as follows:

- (1) Dorsett C. Bennett, II, attorney of record for Plaintiff, shall, on or before September 21, 2005, file a motion to withdraw as counsel in compliance with the requirements of Rule 83.12 of the Local Rules of the Northern

District of Texas;

- (2) Plaintiff's brief shall be due on or before October 11, 2005;
- (3) All pending motions are denied without prejudice;
- (4) Plaintiff is barred from filing any further motions on his own behalf until the issue relating to the withdrawal of his attorney of record is concluded.

Dated this 13th day of September, 2005.

A handwritten signature in dark ink, appearing to read "Sam R. Cummings", written in a cursive style.

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SAM R. CUMMINGS  
UNITED STATES DISTRICT COURT